

REMARKS

Claims 18-20, 25, 27-29 and 33 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Katoh et al. U.S. Patent No. 6,140,037 ("Katoh '037"). The applicants respectfully traverse this rejection.

The applicants appreciate that the Examiner has acknowledged that claims 21-24, 26, 30-32, 34 and 35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. However, for the reasons stated below the applicants believe that the claimed invention is patentable.

On page 3 of the Office Action, 3rd paragraph, the Examiner states "Katoh et al. disclose a lithographic printing plate precursor...". This statement is not supported by the disclosure of Katoh '037. The only reference to printing plates can be found in the background of the invention at column 1, lines 36-43 of Katoh'037. This reference is not related to the material as disclosed in Katoh '037, but is only given to explain, why lasers and light-emitting diodes have found a widespread use. According to the teaching of Katoh'037, such light sources were used and therefore readily available, for the recording of medical images and printing plates at the time the Katoh '037 invention was made. This is why a photothermographic material according to the Katoh '037 invention should, according to Katoh also be sensitive enough for such light sources.

The materials disclosed in Katoh '037 are apparently not printing plate precursors. This is shown, e.g. in column 1, lines 33-35, where the photothermographic materials are taught to be microphotographic and radiographic (x-ray) photosensitive materials, as well as through the

whole disclosure. There is no disclosure in Katoh '037 that relates to a printing plate precursor. In addition the examples show clearly a photographic and not a printing material, as in each example the "photographic properties" are evaluated.

Therefore, the applicants' claimed invention is novel over Katoh '037 as the applicants claim "a recording material for the production of offset printing plates".

According to page 1, lines 16 to 21 of the instant specification, the object of the present invention is related to a kind of storage and shipping (usually in stacks of 20 units or more), that is only relevant for printing plate precursors, an expert in the field of printing plates would not have taken a teaching in the field of photothermographic material into account, to find a solution for this particular problem. But even if he would have taken Katoh'037 into regard, he would learn from column 7, line 66 to column 8, line 8, the Bekk smoothness of the back layer should be from 10 to 250 s "with respect to a degree of matte". How to achieve this degree of matte is not explicitly described, but in the following lines 13-15 a matte agent is taught that according to column 34, lines 19 to 39 is preferably fine particles (Pigments). Therefore, an expert would learn from Katoh '037, that if a particular low Bekk smoothness is to be achieved, then this should be done with pigments, which is contrary to the present invention, where pigments should be avoided. The photographic material according to Example 4 of Katoh '037 has no matting agent in the back layer, but there is also not given a value for the Bekk smoothness nor a description of the coating procedure. Therefore a person skilled in the art would not learn from Katoh '037 to use a printing plate precursor with a Bekk smoothness as presently claimed and without the use of pigment particles in the back layer. In addition the relevance of the Tg is not known from Katoh '037. For the above reasons, this rejection should be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 07244-00120-US from which the undersigned is authorized to draw.

Respectfully submitted,

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